

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/549,592

Attorney Docket No. Q58859

REMARKS

Claims 2-5, 7, and 8 have been examined. Claims 2-4 and 8 have been rejected under 35 U.S.C. § 102(e), and claims 5 and 7 have been rejected under 35 U.S.C. § 103(a)

I. Objection to the Specification

The Examiner has objected to the specification because it contains various idiomatic errors. Applicant respectfully submits that one of ordinary skill would be able to understand the specification as originally filed, and therefore, the filing of a substitute specification is not necessary. Nonetheless, Applicant has amended the specification to change certain language as the Examiner suggests

II. Rejection under 35 U.S.C. § 102(e) over U.S. Patent No. 6,208,802 to Mori et al. (“Mori”)

Claims 2-4 and 8 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Mori.

A. Claim 2

Applicant has amended the claim in a manner that is similar to the manner that the Examiner suggested and submits that the claim is patentable over Mori.

B. Claim 3

Since claim 3 contains features that are analogous to the features recited in claim 2, Applicant submits that claim 3 is patentable.

C. Claim 4

Since claim 4 depends upon claim 2 or 3, Applicant submits that it is patentable at least by virtue of its dependency.

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D. Claim 8

Since claim 8 has been canceled without prejudice or disclaimer, the rejection of the claim is moot.

III. Rejection under 35 U.S.C. § 103(a) over Mori and U.S. Patent No. 4,680,647 to Moriyama (“Moriyama”)

Claims 5 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mori in view of Moriyama. Since claims 5 and 7 depend upon claim 2 or 3, and since Moriyama does not cure the deficient teachings of Mori with respect to claim 2 or 3, Applicant submits that the claims are patentable at least by virtue of their dependency.

IV. Conclusion

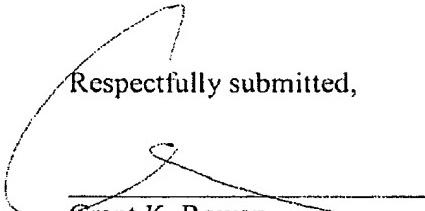
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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